IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE TWENTIETH DAY OF NOVEMBER
TWO THOUSAND AND SEVEN.

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 24412 of 2007

Between:

Smt.M.Adi Lakshamma w/o
Lakshmana Reddy, aged 41 years,
Occ. FP Shop Dealer,
Venkatapuram village, Addanki Mandal,
Prakasam district. **… Petitioner**

Versus

State of Andhra Pradesh
Represented by its Joint Collector,
Ongole, Prakasam district & Ors. **… Respondents**

Counsel for the Petitioner: **Sri M. SUBBA REDDY**

Counsel for the Respondents: **Govt. Pleader for Civil Supplies**

O R D E R :

Heard Sri M.Subba Reddy, the learned counsel representing the writ petitioner and the learned Assistant Govt.Pleader for Civil Supplies.

2. The matter is coming up 'for admission" today. The impugned order reads as hereunder:

> *Smt.M.Adilakshmamma, w/o Lakshmana Reddy, Fair Price Shop Dealer, Venkatapuram village, Addanki Mandal has filed an appeal along with stay petition challenging the orders of the Revenue Divisional Officer, Ongole issued vide reference 1st read above, in which the dealership authorization has been cancelled and requested to stay the operation of the impugned orders passed by the Revenue Divisional Officer, Ongole and to set aside the appeal.*
>
> *After careful examination of the appeal and stay petition filed by the petitioner, it is felt that there are no substantial grounds made out in the appeal and stay petition and not deserved for admission. Therefore, the appeal along with stay petition is hereby dismissed at the admission stage.*
>
> *An appeal lies to the Collector, Ongole within 30 days from the date of receipt of a copy of this order.*

3. The writ petition is filed for a writ of mandamus, declaring the Proceedings of the first respondent in RC.CS2/1007/2007 dated 11-4-2007 in confirming the orders of the second respondent issued in RC.C/510/2006 dated 18-3-2007 as illegal, arbitrary, violative of principles of natural justice and consequently to

direct the respondents to continue the petitioner as Fair Price Shop of Venkatapuram village, Addanki Mandal, Prakasam district by suspending the proceedings of the first respondent in RC.CS2/2007 dated 11-4-2007 in confirming the orders of the second respondent issued in RC.C/510/2006 dated 18-3-2007 and to pass such other suitable orders.

4. The elaborate facts narrated and the averments made in relation thereto need not detain this court any longer, since the impugned order suffers from non-recording of reasons. It appears that the first respondent had not applied his mind while making the order and made the impugned order in a routine way. In view of the same, the order dated 11-4-2007 in RC.CS2/1007/2007 is hereby quashed and the matter is remitted to the first respondent to decide the matter afresh after recording reasons till then ***statusquo*** obtaining as on today to be maintained until further orders.

5. With the above direction, the writ petition is disposed of at the stage of admission. No costs.

JUSTICE P . S . NARAYANA .

20/11/2007.

NB:

FURNISH C.C. OF THE ORDER TODAY ITSELF.

B/o. I s L